

than the amount of funds the said directors shall certify to have been secured by said company, and applicable to the construction of the said road: *Provided*, That if the said Baltimore and Ohio Rail Road Company shall not locate the said road in the manner provided for in this act, then and in that case they shall forfeit one million of dollars to the State of Maryland for the use of Washington county.

Sec. 6. *And be it enacted*, That for each five thousand shares of the stock of said rail road company, for which, under this act, the said treasurer shall subscribe, and which the State may continue to own, at the time of making any annual election or appointment of directors of said company, this State shall be entitled to have and appoint one director, over and above the number of those who may be appointed by reason of the interest which she now has in the property or capital stock of said company.

Sec. 7 *And be it enacted*, That before any subscription shall be made to the capital stock of the Chesapeake and Ohio Canal company, under and by virtue of this act, the stockholders of the said company shall, in general meeting assembled, stipulate, agree, and bind the said company, by a proper instrument of writing, signed by the president, and under the corporate seal thereof, to be lodged with the treasurer of the Western Shore, to guarantee to the State of Maryland the payment, out of the profits of the work, of six per centum per annum, payable semi annually, on the whole amount of money which shall be paid to the said company under and by virtue of this act, until the clear annual profits of the said canal shall be more than sufficient to discharge the sums of money which it shall be liable annually to pay to the State of Maryland, and shall be adequate to a dividend of six per centum per annum among its stockholders, except the holders of stock subscribed in virtue of the stock and debt of the Potomac Company; and thereafter the State shall, in reference to the stock subscribed for on its behalf, be entitled to have and receive a proportional dividend upon the profits of the work as declared from time to time, and no more.

Sec. 8. *And be it enacted*, That as soon as it shall appear to the Governor, by estimates, to be severally and